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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket: UPMAYER=4

In re Application of: ) Conf. No.: 4160  
Ulrich UPMAYER )  
Appln. No.: 09/914,773 ) Art Unit: 3652  
Filed: September 4, 2001 ) Examiner: T. BRAHAN  
For: SHELF STACKING MACHINE ) Washington, D.C.  
 ) June 6, 2005  
 )  
 )

**PETITION TO REVIVE PATENT APPLICATION UNDER 37 C.F.R. §1.137(b)**

Honorable Commissioner for Patents  
U.S. Patent and Trademark Office  
Randolph Building, Mail Stop Petition  
401 Dulany Street  
Alexandria, VA 22314

Sir:

Applicants, through their undersigned attorney,  
hereby petition for revival of the above-identified application  
in accordance with the terms of 37 C.F.R. §1.137(b). The  
above-identified application became abandoned for failure to  
respond to the Office Action of March 29, 2004.

Under 37 C.F.R. §1.137(b), a petition to revive an  
unintentionally abandoned application must be accompanied by  
(1) a statement that the delay was unintentional, (2) a  
proposed response unless it has been previously filed, and (3)  
a fee in the amount of \$ 750.00 in accordance with 37 C.F.R.  
§1.17(m).

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(1) Applicant, through undersigned counsel, hereby states that the entire delay in filing the required reply from the due date of the reply until the filing of a grantable petition pursuant to 37 C.F.R. §1.137(b) was unintentional.

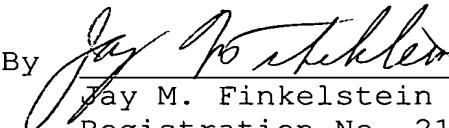
(2) Filed herewith is a proposed response to continue prosecution of the present application.

(3) The petition fee of \$ 750.00 as set forth in 37 C.F.R. §1.17(m), is attached hereto.

Granting of this petition and forwarding of the application to the examiner for further action is earnestly solicited.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.  
Attorneys for Applicant(s)

By   
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Jay M. Finkelstein  
Registration No. 21,082

JMF:dtb  
Telephone No.: (202) 628-5197  
Facsimile No.: (202) 737-3528